

Tom Horne
Superintendent

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ARIZONA DEPARTMENT OF EDUCATION

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STATEMENT BY STATE SUPERINTENDENT TOM HORNE REGARDING THE TRIAL COURT ORDER IN THE FLORES CASE

(Wednesday, April 26, 2006) -- State Superintendent Tom Horne today issued a statement regarding the trial court order in the Flores case.

Horne stated: "Today's order is based on the judge's order in December, and that order has been stayed by the 9th Circuit Court of Appeals. Therefore, today's order has no affect, unless and until, the 9th Circuit, which will be holding oral argument in late July, decides to affirm the December order. We are hopeful that the 9th Circuit will reverse the trial judge's December order, and believe that the stay that was granted by the 9th Circuit until late July is a good indication that the 9th Circuit is taking very seriously the issues that we have raised."

Horne added: "One of the ironic things in today's order is that it states that Arizona cannot count federal funds in meeting any obligations for extra funding for English Language Learners. The Pew Hispanic Trust states that, of Arizona's 154,000 English Language Learners, 125,000 are children of people who crossed the border illegally. The federal government created this problem. It should be paying the \$700 million a year basic cost of educating these students. Today's order states that, even the small amount that the federal government is providing does not count and that the Arizona taxpayer must bear the entire burden. This is unjust."

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